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TO

Confirm a Provisional Order of the Local Government Board for Ireland constituting the Township of Killiney and Ballybrack an Urban Sanitary District. A.D. 1887.

WHEREAS the Local Government Board for Ireland have made the Provisional Order set forth in the Schedule hereunto annexed under the provisions of the Public Health (Ireland) Act, 1878: 41 & 42 Vict. c. 52.

5 And whereas it is requisite that the said Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, 10 and by the authority of the same, as follows:

1. The Order set out in the Schedule hereunto annexed shall be and the same is hereby confirmed, and all the provisions thereof shall, from and after the *passing of this Act*, have full validity and force. The Provisional Order in Schedule confirmed.

15 **2.** This Act may be cited as the Local Government Board (Ireland) Provisional Order (Killiney and Ballybrack) Act, 1887. Short title.

[Bill 275.]

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A.D. 1887.

Killiney and Ballybrack Township.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

KILLINEY AND BALLYBRACK TOWNSHIP.

PROVISIONAL ORDER.

17 & 18 Vict. c. 103.

WHEREAS there are in the Township of Killiney and Ballybrack, in the County Dublin, Township Commissioners under the Towns Improvement (Ireland) Act, 1854:

41 & 42 Vict. c. 52 s. 4.

And whereas the population of the said Township according to the last Parliamentary census is less than six thousand, and the said Township is situated within and forms part of the Rural Sanitary District consisting of the Rathdown Poor Law Union.

41 & 42 Vict c. 52 s. 7

And whereas the said Township Commissioners have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board) in pursuance of the Public Health (Ireland) Act, 1878, section 7, praying that the said town may be separated from the said Rural Sanitary District and constituted an Urban Sanitary District.

41 & 42 Vict c. 52. s. 214.

And whereas all advertisements and notices required by the said Act having been previously duly published and given, the Local Government Board has caused a due local inquiry to be made as to the propriety of assenting to the prayer of the said petition, and it appears to the Local Government Board to be proper to assent thereto, and it also appears to the said Board that provision should be made for the discharge by the said Township Commissioners of the balance remaining due of the mortgage debt herein-after mentioned contracted by the Guardians of the Poor of the Rathdown Union for the purpose of supplying the said township with water:

And whereas, by a deed of mortgage, dated the 1st of March, 1876, from the said guardians to the Commissioners of Public Works in Ireland, reciting that the said Commissioners, with the consent of the Lords Commissioners of Her Majesty's Treasury, on the recommendation of the Local Government Board for Ireland, and for the purpose of paying off certain expenses incurred for works executed for the purpose of providing a supply of water to the said township, had agreed to lend to the said Guardians the sum of three thousand pounds, the Guardians mortgaged the rates of the district comprised in certain townlands mentioned in the said mortgage to secure repayment of the said sum of three thousand pounds, with interest at the rate of three pounds ten shillings per centum per annum, in sixty half-yearly instalments to be calculated in the manner thereby provided and payable on each first day of May and first day of November until the said principal sum should be discharged.

It is ordered by the Local Government Board, as follows—

Constitution of Urban Sanitary District.

1. From and after the time of the confirmation of this Order by Parliament, the said township of Killiney and Ballybrack shall be separated from the Rural Sanitary District consisting of the Rathdown Poor Law Union and shall be constituted an Urban Sanitary District, subject to

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all the provisions of "the Public Health (Ireland) Act, 1878"; "the Public Health (Ireland) Amendment Act, 1879"; and "the Public Health (Ireland) Amendment Act, 1884," affecting Urban Sanitary Districts.

Provision for payment of instalments of Waterworks mortgage.

2. The Commissioners of the Killiney and Ballybrack township, acting as the Urban Sanitary Authority of the said district, shall, on each first day of May and first day of November in each year after this Order shall be confirmed, out of and by means of the rates leviable by them as such Urban Sanitary Authority, pay to the Guardians of the Poor of the Rathdown Union the amount of the half-yearly instalment of the said mortgage debt of three thousand pounds, and interest which on such day shall be payable by the said Guardians to the Commissioners of Public Works; and the said Guardians shall apply the sum so paid to them in discharge and satisfaction of such instalments accordingly, and in relief of the rates leviable on the several townlands mentioned in the said mortgage of the first day of March, one thousand eight hundred and seventy-six, provided that the amount to be paid by the said Town Commissioners to the Guardians on whichever of the said days shall occur first after this Order shall be confirmed, shall be an apportioned part only of the whole amount of the half-yearly instalment payable on such day, calculated in proportion to the time which shall intervene between the confirmation of this Order by Parliament and such day of payment

The charge of the Commissioners of Public Works not to be affected or impaired.

3. This Order shall not in any way affect or impair the security of the Commissioners of Public Works under the said mortgage of the first day of March, one thousand eight hundred and seventy-six, nor the right or power of the said Commissioners to enforce payment of the said mortgage debt and any instalment thereof that may at any time hereafter be due or owing, out of and by means of the rates mentioned in and mortgaged by the said mortgage, nor the power of the said Guardians to make or levy rates on the several townlands and places mentioned in the said mortgage, for the purpose of raising the amount of such instalments and paying the same to the said Commissioners of Public Works.

Costs and expenses of Order.

4. All costs, charges, and expenses of and incidental to the applying for, preparing, obtaining, and confirming this Order, and otherwise in relation thereto shall be paid by the said Town Commissioners as the Urban Sanitary Authority of the Urban Sanitary District constituted by this Order.

Short title of Order.

5. This Order may be cited and referred to for all purposes as the "Killiney and Ballybrack Township Provisional Order, 1887."

Given under our Hands and Seal of Office this twenty-fifth day of May, in the year of Our Lord one thousand eight hundred and eighty-seven.

Henry Robinson.
(L.S.) Charles Croker-King.

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Local Government (Ireland) Provisional Order (Killiney and Ballybrack).

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To confirm a Provisional Order of the Local Government Board for Ireland constituting the Township of Killiney and Ballybrack an Urban Sanitary District.

(*Prepared and brought in by Colonel King-Harman and Mr. Balfour.*)

Ordered, by The House of Commons, *to be Printed,* 24 *May* 1887.

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[Bill 275.]

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